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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

BARRY COFFEY, INDIVIDUAL; PAUL
LAFONTAINE, INDIVIDUAL; TIM PRUITT,
INDIVIDUAL; AND DONNY REAGAN,
INDIVIDUAL,

Opposers,

vs.

VOICE OF GOD RECORDINGS, INC.

Applicant.

Opposition No.: _____

NOTICE OF OPPOSITION

Application Serial No.: 76/275664

Filing Date: June 22, 2001

Publication date: August 12, 2003

NOTICE OF OPPOSITION

Opposers, Barry Coffey, an individual, located at P.O. Box 246, Riner, Virginia 24149; Paul LaFontaine, an individual, located at P.O. Box 352456, Toledo, Ohio 43635-2456; Tim Pruitt, an individual, located at 546 White Oaks Rd., Homer, Louisiana 71040; and Donny Reagan, an individual, located at 3521 Chelsea Lane, Johnson City, Tennessee 37601, ("Opposers") believe that they will be damaged by registration of a mark for the personal name WILLIAM BRANHAM, shown in U.S. Trademark Application Serial No. 76/275664 ("Applicant's Mark") to The Voice of God Recordings, Inc. ("Applicant"), and hereby opposes the same.

The grounds for the opposition are as follows:

1. Opposers are individuals who faithfully live by and actively follow the teachings of the late Reverend William Branham. Opposers have dedicated their lives to the spreading of the ministry and message of Reverend Branham primarily through full time ministry, religious services, distributing literature, audio recordings, video recordings, and other printed materials throughout the United States and all over the world.



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2. Applicant is an Indiana corporation, founded in 1981, with its principal place of business located at 5911 Charlestown Pike, Jeffersonville, Indiana 47130.

3. Applicant's Application was filed on June 22, 2002 and published for opposition in the Official Gazette of August 12, 2003 in connection with books, namely, religious books featuring religious musical sermons and sermons; claiming first use on March 2, 1966.

4. Since Reverend Branham's passing in 1965, countless individuals, organizations, churches, and other parties have manufactured, copied, translated, duplicated and subsequently distributed throughout the United States and all over the world sermons, books, and other like goods which prominently featured the name WILLIAM BRANHAM.

5. Opposers, the earliest since 1966, and other third parties have made open and notorious use of the Applicant's Mark in connection with goods identical to those claimed by Applicant. At no time has such use been subject to the supervision or quality control of Applicant.

6. Applicant's Mark, when applied to the goods of Applicant, is merely descriptive and generic in that it is used to inform the consumer of the nature of the goods being provided by Applicant.

7. Applicant's Mark does not function to identify Applicant's goods and distinguish them from those offered by others, and Applicant's Mark has not attained secondary meaning.

8. Consumers do not uniquely identify Applicant's Mark with Applicant. Applicant's Mark therefore does not serve as a single-source identifier.

9. Applicant does not use the alleged mark as a trademark.

10. Applicant has no protectable rights in Applicant's Mark because, inter alia, (i) Applicant's Mark is descriptive and generic for the goods for which registration is being sought

thereunder, (ii) Applicant does not use Applicant's Mark as a source-identifier, (iii) Applicant's Mark lacks requisite secondary meaning, (iv) Applicant has failed to properly police Applicant's Mark, and/or (v) Applicant has failed to exercise quality control with respect to the use of Applicant's Mark by others.

11. In view of the above allegations, Applicant is not entitled to federal registration of its alleged mark.

12. Further, Applicant is not entitled to federal registration of its alleged mark in that Opposers would be seriously damaged by such registration.

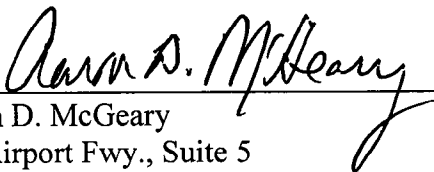
WHEREFORE, Opposers pray that said application Serial No. 76/275664 be rejected, that no registration be issued thereon to Applicant, and that this Notice of Opposition be sustained in favor of Opposers.

Included is a cashier's check in the amount of \$1,200 to cover the \$300.00 filing fee for each of the four Opposers joining in this opposition for one international class.

This Notice of Opposition is being filed in duplicate.

Respectfully submitted,

Law Offices of Aaron D. McGeary

By: 
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**ATTORNEY FOR OPPOSERS, BARRY
COFFEY, PAUL LAFONTAINE, TIM
PRUITT, AND DONNY REAGAN**

CERTIFICATE OF MAILING UNDER 37 CFR § 1.10

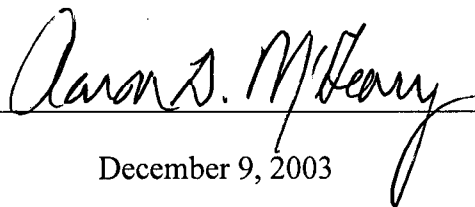
"Express Mail" Mailing Label Number **ER 618944072 US**

Date of Deposit: December 9, 2003

I hereby certify that the foregoing is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on December 9, 2003, in an envelope addressed to:

Commissioner for Trademarks
BOX TTAB FEE
2900 Crystal Drive
Arlington, VA 22202-3513.

Name of Person Signing: Aaron D. McGeary

Signature: 
Date signed: December 9, 2003